

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED AMENDMENTS TO
REGULATION 807 KAR 5:008

) ADMINISTRATIVE
) CASE NO. 317

AMENDED ORDER

On November 12, 1987, the Commission issued an Order in this case establishing a hearing on proposed amendments to the Commission regulation on Winter Hardship Reconnection of Residential Electric and Gas Services. That Order required that notice of the proposed amendments and hearing be published in the November, 1987, issue of the Kentucky Administrative Register. Due to the late filing of these proposed amendments with the Legislative Research Commission, notice of the proposed amendments and hearing cannot be published in the November issue of the Kentucky Administrative Register.

IT IS THEREFORE ORDERED that the notice of the proposed amendments to 807 KAR 5:008, attached hereto as Appendix A, and hearing be published in the December, 1987, issue of the Kentucky Administrative Register. All other provisions of the previous Order shall remain in effect.

Done at Frankfort, Kentucky this 17th day of November, 1987.

ATTEST:

PUBLIC SERVICE COMMISSION


For The Commission

Executive Director

APPENDIX A

PUBLIC PROTECTION AND REGULATION CABINET Public Service Commission

807 KAR 5:008E. Winter hardship reconnection of residential electric and gas service.

RELATES TO: KRS Chapter 278
PURSUANT TO: KRS 278.280(2)

NECESSITY AND FUNCTION: KRS 278.280(2) provides that the commission shall prescribe rules for the performance of any service or the furnishing of any commodity by any utility. This regulation establishes a reconnection rule which applies to electric and gas utility service during the winter months in hardship situations.

Section 1. Notwithstanding the provision of 807 KAR 5:006, Section 11(5) to the contrary, an electric or gas utility shall reconnect service to a residential customer who has been previously disconnected for nonpayment of bills [during the fifteen (15) months] prior to application for reconnection pursuant to 807 KAR 5:006, Section 11(2)(a) and who applies for such reconnection of service during the months from November through March when the customer or his or her agent:

(1) Presents a certificate of need from the Department for Social Insurance including a certification that a referral for weatherization services has been made in accordance with Section 3 of this regulation;

(2) Pays one-third (1/3) of his or her outstanding bill or \$200, whichever is less; and

(3) Agrees to a repayment schedule which would permit the customer to become current in the payment of his or her electric or gas bill as soon as possible but no later than October 15 provided, however, that if, at the time of application for reconnection, the customer has an outstanding bill in excess of \$600 and agrees to a repayment plan that would pay current charges and makes a good faith reduction in the outstanding bill consistent with his or her ability to pay, then such plan shall be accepted. In addition to payment of current charges, repayment schedules shall provide an option to the customer to select either one payment of arrearages per month or more than one payment of arrearages per month.

Section 2. Certificate of Need for Reconnection. Federal and statewide energy assistance programs are administered by the Kentucky Cabinet for Human Resources, Department for Social Insurance. A customer who is eligible for energy assistance under the department's guidelines or is certified as being in genuine financial need, defined as any household with gross income at or below 130 percent of the poverty level, may obtain a certificate of need from the department to be used in obtaining a service reconnection from the utility.

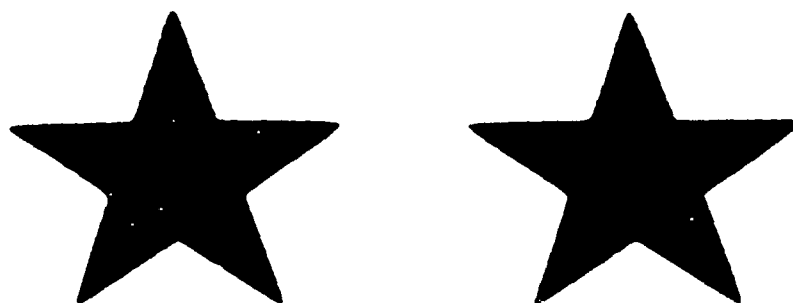
Section 3. Weatherization Program. Customers obtaining a certificate of need under this regulation shall agree to accept referral to and utilize weatherization services which are administered by the Kentucky Cabinet for Human Resources [Department of Manpower Services]. The provision and acceptance

of weatherization services is contingent on the avail
funds and other program guidelines. Weatherization
include, but are not limited to, weather-stripping, in
and caulking.

Section 4. Customers who are current in their payment
under Section 1(3) of this regulation shall not be disconne

Section 5. Utility Personnel Training. The chief opera
officer of each utility subject to this regulation shall be
required to certify each year the training of utility person
assigned to counsel persons presenting themselves for utility
service under the provisions of this section. Training is heret
defined as an annual review of commission regulations and
policies regarding winter hardship and disconnect regulations,
Cabinet for Human Resources policy and programs for issuing
certificates of need, and company policies regarding collection,
arrears repayment plans, budget billing procedures, and
weather/health disconnect policies. Certification is defined as
written notice to the commission by no later than October 31 of
each year identifying the personnel trained, the date training
occurred, and that the training met the requirements of this
ction.

CORRECTION



***PRECEDING IMAGE HAS BEEN
REFILMED
TO ASSURE LEGIBILITY OR TO
CORRECT A POSSIBLE ERROR***

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Section 4. Customers who are current in their payment plans under Section 1(3) of this regulation shall not be disconnected.

Section 5. Utility Personnel Training. The chief operating officer of each utility subject to this regulation shall be required to certify each year the training of utility personnel assigned to counsel persons presenting themselves for utility service under the provisions of this section. Training is hereby defined as an annual review of commission regulations and policies regarding winter hardship and disconnect regulations, Cabinet for Human Resources policy and programs for issuing certificates of need, and company policies regarding collection, arrears repayment plans, budget billing procedures, and weather/health disconnect policies. Certification is defined as written notice to the commission by no later than October 31 of each year identifying the personnel trained, the date training occurred, and that the training met the requirements of this section.

Approved as to form and certified in conformity with KRS 13A.220(2)
and (3):

Thomas A. Marshall
Thomas A. Marshall, General Counsel
Public Service Commission
Public Protection and Regulation Cabinet

10/29/87
Date

Approved:

Richard D. Heman, Jr.
Richard D. Heman, Jr.
Chairman

10/29/87
Date

Approved:

Robert M. Davis
Robert M. Davis, Secretary
Public Protection and Regulation Cabinet

10/29/87
Date

FILED

Oct 29, 1987 @ 3 PM
ADMINISTRATIVE REGULATIONS

PUBLIC PROTECTION AND REGULATION CABINET
Public Service Commission
(Proposed Amendment)

Susan C. Wunderlich
REGULATIONS COMPILER

807 KAR 5:008. Winter hardship reconnection of residential electric and gas service.

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PURSUANT TO: KRS 278.280(2)

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of weatherization services is contingent on the availability of funds and other program guidelines. Weatherization services include, but are not limited to, weather-stripping, insulation and caulking.

Section 4. Customers who are current in their payment plans under Section 1(3) of this regulation shall not be disconnected.

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Approved as to form and certified in conformity with KRS
13A.220(2) and (3).

Thomas A. Marshall
Thomas A. Marshall, General Counsel
Public Service Commission
Public Protection and Regulation Cabinet

10/29/87
Date

Approved:

Richard D. Heman, Jr.
Richard D. Heman, Jr.
Chairman

10/29/87
Date

Approved:

Robert M. Davis
Robert M. Davis, Secretary
Public Protection and Regulation Cabinet

10/29/87
Date

A public hearing on this proposed amendment has been scheduled to take place on Monday, December 21, 1987, at 9:30 a.m. (EST) in the Hearing Room at the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky. Persons interested in attending this hearing should submit written notification of such by December 14, 1987. If a written notice of intent to testify is not received on or before this deadline, the hearing will be cancelled. To assure an accurate record, the Commission requests that each person who testifies at the hearing provide the Commission with a written copy of his or her testimony.

Written comments on the proposed amendment may be submitted at any time prior to the hearing. Written comments and written requests to attend or testify at the hearing must be submitted to:

Forest M. Skaggs
Executive Director
Public Service Commission
730 Schenkel Lane
Frankfort, Kentucky 40601